

ASSEMBLY CONCURRENT RESOLUTION NO. 8–
ASSEMBLYWOMAN BENITEZ-THOMPSON

MARCH 25, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Directs the Legislative Commission to appoint a committee to conduct an interim study concerning compensation of on-call employees in the State of Nevada. (BDR R-1120)

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

ASSEMBLY CONCURRENT RESOLUTION—Directing the Legislative Commission to appoint a committee to conduct an interim study relating to the compensation of on-call employees in the State of Nevada.

1 WHEREAS, Certain employers in the State of Nevada require
2 employees to work on an on-call basis to accommodate the
3 particular needs of the employer; and

4 WHEREAS, Such employers may require on-call employees to
5 wait off-site, to be available by pager and telephone, and to report
6 promptly for duty when needed; and

7 WHEREAS, An on-call employee may or may not be able to use
8 his or her time freely while waiting to be called to work, and may or
9 may not be compensated for his or her on-call time; and

10 WHEREAS, Nevada employers increasingly depend on on-call
11 employees to conduct their businesses; and

12 WHEREAS, The laws of the State of Nevada contain no specific
13 provisions addressing the compensation of on-call employees; now,
14 therefore, be it

15 RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE
16 SENATE CONCURRING, That the Legislative Commission is hereby
17 directed to appoint a committee composed of three members of the
18 Assembly and three members of the Senate, one of whom must be
19 appointed by the Legislative Commission as Chair of the committee,
20 to conduct an interim study of compensation of on-call employees;
21 and be it further



1 RESOLVED, That the study must include, without limitation, an
2 examination of:

3 1. Relevant provisions of the federal Fair Labor Standards Act
4 of 1938, 29 U.S.C. §§ 201 et seq., and its implementing regulations;

5 2. Laws and regulations of other states concerning
6 compensation of on-call employees;

7 3. The needs of Nevada employers for on-call employees; and

8 4. The needs, interests, desires of on-call employees regarding
9 their working conditions and compensation; and be it further

10 RESOLVED, That the committee shall solicit the input of
11 interested stakeholders, including, without limitation, on-call
12 employees, employers who utilize on-call employees, the Nevada
13 Labor Commissioner and representatives of organized labor; and be
14 it further

15 RESOLVED, That any recommended legislation proposed by the
16 committee must be approved by a majority of the members of the
17 Assembly and a majority of the members of the Senate appointed to
18 the committee; and be it further

19 RESOLVED, That the Legislative Commission shall submit a
20 report of the results of the study and recommended legislation to the
21 81st Session of the Nevada Legislature; and be it further

22 RESOLVED, That the Chief Clerk of the Assembly prepare and
23 transmit a copy of this resolution to the Director of the Department
24 of Business and Industry and the Labor Commissioner; and be it
25 further

26 RESOLVED, That this resolution becomes effective upon
27 passage.

